

**REMARKS**

Upon entry of the present Amendment the Claims under consideration are 6-7 and 10-11. Claims 1-5 were previously withdrawn by the Examiner as drawn to a non-elected species. Claim 6 has been amended to specify that the shape of the capillary and the fiber is in accordance with the embodiment of Fig. 4 or the embodiment of Fig. 5, to further specify that differential shear induces crimping of the fiber, and to otherwise clarify the verbiage of the claim to comport with the written description. Support is found in the specification at Figs. 4 and 5, and page 11, line 16 to page 12, line 13. Claims 8 and 9 have been canceled. Claims 10 and 11 have been amended to more clearly identify the crimped fibers as made from a homopolymer. Claim 11 has further been amended to change its dependency from canceled Claim 8 to Claim 7. Applicants respectfully request entry of the present amendments to clarify the issues and place the claims in better form for consideration on appeal. The Detailed Action of 19 April 2004 will now be addressed with reference to the headings and any paragraph numbers therein.

**Claim Rejections -35 USC §102**

Per paragraph 2 of the Detailed Action, Claims 6-11 stand as anticipated by WO 97/13898 to "Stack" (sic), i.e., Slack (hereinafter Slack), for the reasons set forth in the previous Office Action of 08 December 2003.

As previously noted by Applicants, the present invention teaches that a reduction of the cross-sectional area of the capillary according to the embodiments shown in the present invention leads to a more robust process for producing crimped fibers of consistent shape and consistently superior degree of crimping. Particularly with respect to the embodiments of Figs. 4 with its three convex points of stress on the outer boundary, and Fig. 5 with its substantially tear drop shaped outer boundary, a high degree of crimping may be achieved for a homopolymer. The present Claims accordingly reflect such teaching. The embodiment of Fig. 3, which in relative terms most resembles the Fig. 6 embodiment of Slack, is not now claimed. The claimed embodiments now clearly distinguishes over the art of record.

Further, with respect to Claim 7, it is the contention of the Detailed Action that Slack anticipates the claimed directional quenching towards the non-round cross-sectional area of the fiber of the present invention. Applicants reiterate that they see no reference to a

specific direction of quenching in Slack. Thus, Slack cannot anticipate the present Claim and the rejection is requested to be withdrawn.

Claims 10 and 11, as dependent from Claims 6 and 7 respectively, and incorporating all limitations therein, also now define over Slack, per the above discussions.

Request For Telephonic Interview

Clearly, there are differences between the present invention and the cited reference(s) involving patentable subject matter. These differences are believed by the Applicants to be properly defined in the present Claims. The Examiner is requested to call Applicants' attorney (per the provisions of M.P.E.P. § 713) to discuss any further problems or suggest solutions in defining the present invention in order to expedite the case towards allowance.

For all the foregoing reasons, the Claims as presently amended are believed to be allowable over the art of record. A notice to that effect is earnestly solicited.

Favorable consideration is requested.

Respectfully submitted,



Roland W. Norris  
Registration No. 32,799

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
FAX (847) 490-1403